

**U.S. Department of the Interior
Bureau of Land Management**

Programmatic Environmental Assessment

June 18, 2013

Programmatic Environmental Assessment

**For Commercial Guides and Special Recreation Permits within Wilderness Study
Areas and Areas of Critical Environmental Concern**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
602 Cressler Street
Cedarville, CA 96104 USA
530-279-6101
530-279-2171



Programmatic Environmental Assessment

DOI-BLM-CA-N070-2013-0004-EA

**Prepared by
U.S. Department of the Interior
Bureau of Land Management
USDI Bureau of Land Management
Surprise Field Office
Cedarville, CA**

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Chapter 1. Introduction

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Commercial outfitter and guide (O&G) services provide important recreation opportunities on public lands. Commercial uses are managed under Special Recreation Permits (SRP) on Bureau of Land Management (BLM) Lands. The issuance of a SRP constitutes a Federal action. All federal actions must be in compliance with the requirements of the National Environmental Policy Act (NEPA). Historically, commercial permits were issued under a categorical exclusion (CX), which provided only limited environmental analysis and does not cover activities within areas with special designation (Wilderness Study Area- WSA, Area of Critical Environmental Concern- ACEC). This document will serve as a programmatic environmental assessment to analyze the impacts of issuing SRP's to registered outfitters and guides lands managed by the Surprise Field Office. It will identify a range of potential impacts that could result from the issuance of SRP's when conducted in accordance with mitigation measures and administered through the revised permit process.

See the following page for the map which shows the Surprise Field Office where O&G uses would occur.

1.1. Purpose and Need for the Action:

The purpose of this Programmatic Environmental Assessment (EA) is to streamline the process for issuing SRPs within WSA) and ACEC within the Surprise Field Office. The proposed action would provide a more updated and efficient processing time table to meet public demands for commercial, competitive, organized group and event SRPs in the Surprise Field Office.

The resource area is defined as the system of lands, trails and roads within the Surprise Field Office including the lands within the Sheldon Contiguous WSA, Massacre Rim WSA, South Warner WSA, Wall Canyon WSA, Buffalo Hills WSA, Bitner ACEC, Rahilly-Gravelly ACEC, and Massacre Rim ACEC. SRPs are authorizations which allow for specific recreational uses on public lands. They may be issued as a means to control visitor use, protect resources or as a mechanism to accommodate specific recreational use. The need for this assessment is comply with the requirements of the National Environmental Protection Act to consider the impacts on the human environment of federal actions as well as to comply with requirements to consider actions that occur in WSAs and ACECs.

1.2. Decision to be Made:

In accordance with NEPA and the Council of Environmental Quality implementation regulations, and special recreation permit regulations (43 CFR 2930); the BLM has prepared this programmatic environmental assessment for the authorization of commercial outfitter and guide operations. The decision would authorize up to 20 outfitter and guides under a special recreation permit policy and develop standard permit stipulations for all outfitter and guide operations.

1.3. Scoping, Public Involvement and Issues:

The BLM Surprise Field Office conducted internal scoping with an interdisciplinary team of specialists as well as coordination and scoping with the local tribes. A Notice of Proposed Action (NOPA) went out to interested parties on April 10th, 2013. No concerns or issues from interested parties were received.

1.4. Plan Conformance

This proposed action is subject to the following use plan(s): Surprise Resource Management Plan (RMP) and Record of Decision (ROD), approved on April 17, 2008. The proposed action has been determined to be in conformance with this plan as required by regulation (43 CFR 1610.5-3(a)).

Chapter 2. Proposed Action and Alternatives

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2.1. Alternative 1 – Proposed Action:

The proposed action would authorize commercial uses by outfitter and guide services within the Surprise Field Office area.

The typical O&G commercial operations consist of small party outdoor trips, with usually one or two clients and a guide. Staff and clients would use a number of OHVs, including jeeps, trucks, 4-wheelers, or pack stock to access public lands. All vehicle use would be limited to established designated routes. Guided trips usually last 1-5 days, and the majority of the outfitters utilize campsites in BLM campgrounds or on private lands and motels. The majority of this use would occur from August to December.

Each O&G permit would be valid for a ten year period with an annual renewal clause dependent upon adherence to stipulations and regulations.

Many of the outfitters and guides already have permits from some Nevada BLM offices. However, these permits are not valid for the areas within the Surprise Field Office area because it is managed by California BLM.

2.2. Alternative 2 – No Action:

Under this alternative, commercial guide and outfitter services would not be permitted on BLM lands with special designation (ACEC/WSA) in the Surprise Field Office. Permits would be processed individually though a categorical exclusion for BLM lands without special designation.

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Chapter 3. ENVIRONMENTAL ANALYSIS:

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The affected environment is described below followed by the environmental consequences for each resource.

Determination of STAFF:

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

Table 3.1. Resources Potentially Affected by Implementation of the Proposed Action and Supplemental Authorities to be considered

Determination	Resource	Rationale for Determination
NI	Air Quality	Permitting will cause dust but not at the level to have any potential negative impacts.
PI	Areas of Critical Environmental Concern	See Section 3.1.
NP	BLM Natural Areas	There are no BLM Natural Areas located within the Project Area.
PI	Cultural Resources National Historic Preservation Act, as amended (16 USC 470)	See Section 3.2.
NI	Greenhouse Gas Emissions & Global Climate Change	Currently there are no emission limits for suspected Greenhouse Gas (GHG) emissions, and no technically defensible methodology for predicting potential climate changes from GHG emissions. However, there are, and will continue to be, several efforts to address GHG emissions from federal activities, including BLM authorized uses.
NP	Environmental Justice E.O. 12898, "Environmental Justice" February 11, 1994	Implementation of the Proposed Action would not disproportionately affect low income or minority populations.
NP	Farmlands (Prime or Unique)	There are no Prime or Unique farmlands located within the Project Area.
NP	Floodplains E.O. 11988, as amended, Floodplain Management, 5/24/77	All proposed permit activities will be along designated roads and trails, resulting in no impacts to downstream flooding.

NI	Fuels/Fire Management	All proposed permit activities will occur on designated roads and trails, and follow fire restrictions as stated in the annual fire restrictions order, thus reducing likelihood of impacts to proposed area.
NP	Geology / Mineral Resources/Energy Production	No geological, mineral, or energy issues present
NI	Invasive Species/Noxious Weeds	All proposed permit activities will occur on designated roads and trails, thus reducing the likelihood of effects of noxious weeds. To ensure no impact of noxious weeds/invasive non-native species in the proposed area, the proponent and all participants will comply with the special recreation permit stipulations and mitigation measures.
NI	Lands/Access	ROW's are present in the project area. The ROW's holders have been notified and are in support of the proposed action.
NI	Livestock Grazing	Proposed permit activities area where all permit activities would occur are within authorized grazing allotments. However no adverse effects would occur and all participants of proposed permit activities will comply with the special recreation permit stipulations thereby minimizing affects to livestock grazing.
NI	Migratory Birds.	As there will be no new surface disturbance associated with the proposed permit activities, there will be no impact on migratory birds. The proponent and all participants of proposed permit activities will comply with the special recreation permit stipulations, thereby minimizing affects to migratory birds.
NI	Native American Religious Concerns	No expressed concerns from the local tribes.
NI	Noise	No noise issues
NI	Paleontology	All proposed permit activities will be led along designated routes. The proponent and all participants of proposed permit activities will comply with the special recreation permit stipulations thereby minimizing affects to potential paleontological sites.
PI	Recreation	See section 3.3.
PI	Socio-Economics	See section 3.4.

NI	Soils	No Soils issues
NI	Threatened, Endangered or Candidate Plant Species	No Threatened, Endangered or Candidate Plant Species
PI	Wildlife Including BLM Sensitive, Threatened, Endangered or Candidate Animal Species	Impacts to wildlife resources are presented in Section 3.6
NI	Wastes (hazardous or solid) Resource Conservation and Recovery Act of 1976 (43 USC 6901 et seq.) Comprehensive Environmental Repose Compensation, and Liability Act of 1980, as amended (43 USC 9615)	Implementation of the Proposed Action would not result in hazards materials/waste exposure to people or the environment, nor would implementation result in effects related to solid waste.
NI	Water Resources/Quality (drinking/surface/ground) Safe Drinking Water Act, as amended (43 USC 300f et seq.) Clean Water Act of 1977 (33 USC 1251 et seq.)	No Issues
NI	Wetlands/Riparian Zones E.O. 11990 Protection of Wetlands 5/24/77	All proposed permit activities will be along designated roads and trails. No new disturbance will occur. Trails located in or that traverse riparian areas and streams should be monitored regularly to ensure that the trails are not impacting them. No impacts to riparian areas.
NI	Wild and Scenic Rivers (Wild and Scenic Rivers Act, as amended (16 USC 1271)	No Wild and Scenic Rivers issues present
PI	Wilderness/WSA Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.); Wilderness Act of 1964 (16 USC 1131 et seq.)	See Section 3.5.
NP	Woodland / Forestry	No Issues
NI	Visual Resources	The proposed permit activities occur within VRM classes I, II, III, and IV. However no adverse effects would occur and all participants of proposed permit activities will comply with the special recreation permit stipulations thereby minimizing affects to VRM
NI	Wild Horses and Burros	No Wild Horses and Burros issues present.

Interdisciplinary Team Review and Supplemental Authorities: The affected environment of the project area was described by an interdisciplinary Team Analysis Record Checklist. A copy of this checklist is attached to this EA. The Checklist indicates which resources are either not

present in the project area or would not be impacted to a degree that requires detailed analysis. Supplemental Authorities are those elements that are subject to the requirements specified in statute, regulation, or executive order, and may be considered in EAs (BLM H-1790-1 Appendix 1). Supplemental Authorities are included in the checklist. Resources potentially affected are described in Chapter 3 and impacts on these resources are analyzed in Chapter 4.

3.1. Areas of Critical Environmental Concern

A. Affected Environment

The Surprise Field office manages three Areas of Critical Environmental Concern (ACEC): the Rahilly-Gravelly ACEC, the Massacre Rim ACEC, and the Bitner ACEC that encompass 47,748 acres. All three ACECs were designated to provide special management emphasis on important wildlife and cultural resources. The Massacre Rim ACEC is completely within the Massacre Rim WSA. The Bitner ACEC is closed to OHV use. The Massacre Rim and Rahilly-Gravelly ACEC limit OHV use to designated routes. None of the ACECs are closed to hunting and fishing.

B. Environmental Consequences

Proposed Action: Issuance of up to 20 O&G permits could result in an estimated 600 additional VUDs within the three ACECs. The current visitor use is estimated at 1,000 VUDs, so implementing the proposed action would result in a net increase of 60 percent. OHV use would increase by 15 percent over current estimated use in the Massacre Rim, Bitner and Rahilly-Gravelly ACECs. It is anticipated that implementation of the proposed action would result in no additional camping in the Bitner and Rahilly-Gravelly ACECs and add an additional 15 camping nights in the Massacre Rim ACEC per year. The result of this small increase in human activity would not adversely affect the relevant and important values for which any of the three ACECs was designated. It is anticipated that impacts to ACECs would be minimal under the proposed action. The routes that are closed to OHV use are already marked and the activities under an O&G permit are similar to outdoor recreationist. No adverse impacts are anticipated.

No Action: There would be no impacts on ACECs from continuing present management. Any O&Gs that apply for a permit to operate in one or more of the ACECs would result in a site specific environmental assessment prior to issuance of a permit.

3.2. Cultural Resources

A. Affected Environment

The three ACECs within the SFO were all designated in part to protect cultural resources. All proposed permit activities will be led along designated routes. Other than archaeological sites open for interpretation, all archaeological sites, including rock art sites will be avoided. The proponents and all participants of proposed permit activities will comply with the special recreation permit stipulations outlined in the permit thereby minimizing affects to potential archaeological sites.

B. Environmental Consequences

Proposed Action: It is anticipated that impacts to cultural resources would be minimal under the proposed action in most cases, and cultural resource inventories would not be required under the

terms of the State Protocol Agreement (Appendix D, Activity B9) between the Bureau of Land Management and the State Historic Preservation Officer.

No Action: There would be no impacts on cultural resources from continuing present management. Any O&Gs that apply for a permit to operate in ACECs or WSAs would require a site specific environmental assessment prior to issuance of the permit.

3.3. Recreation

A. Affected Environment

The Surprise Field Office offer a wide range of dispersed and permitted uses. Dispersed uses include camping, hunting, OHV use, target shooting, wildlife viewing, hiking, fishing, and various other activities. Permitted activities include SRPs for organized group events, O&G permits, and commercial filming. Due to the relative distance from major population centers, the lack of developed recreation sites and limited physical access associated with poor road conditions visitor use is low. Total visitor use for the field office is estimated at 1,400 VUD/year and approximately 10 % of the total visitor use occurs within the ACECs and WSAs.

B. Environmental Consequences

Proposed Action: Implementation of this alternative would increase opportunities to experience the scenic, historical, archaeological, and wildlife values of the Surprise Field Office by authorizing commercial recreation providers. Issuance of up to 20 SRPs for O&G activities would result in an additional 600 VUDs per year (a 42% increase in visitor use). People who are unfamiliar with rugged and remote areas or do not have the necessary equipment, as well as those physical disabled, the young and elderly, would not otherwise have the opportunity available to them through commercial service providers. Opportunities for hiking, hunting and fishing would be enhanced through O&G uses.

Adverse impacts may occur as a result of conflict between dispersed (non-commercial) users and the permitted (commercial) operations. Conflicts would be managed through the permitted processes. Competition for campsites and hunting areas may occur in certain desirable areas. However, under the current situations little conflict is known to occur as a result of commercial uses.

No Action: There would be no impacts on visitation or recreational opportunities from continuing present management. Any O&Gs that apply for a permit to operate in ACECs or WSAs would require a site specific environmental assessment prior to issuance of the permit.

3.4. Social and Economic Values

A. Affected Environment

The Surprise Valley is a rural community with a strong commitment to its surrounding resources. The Surprise Valley has two primary bases to its local economy; agriculture (cattle ranching and hay production) and tourism. Hunting and fishing opportunities bring tourism and revenue to the local economy. Restaurants, motels, grocery stores and local ranches benefit from out-of-area hunters coming to the Surprise Resource area to hunt. There are a few local guides in the

community who make their annual income guiding hunting and fishing clients. The majority of the other guides are from various communities throughout Nevada.

B. Environmental Consequences

Local communities and economies would benefit from commercial services in the Surprise Field Office. Benefits would include: Increased tax revenues, increased entrepreneurship, improved mental and physical health, and increased recreation opportunities. State wildlife management agencies would also benefit from the issuance of master guide licenses, which would enhance their ability to manage wildlife populations and are contingent on BLM SRP issuance. No adverse Impacts would be expected.

3.5. Wilderness & Wilderness Study Areas

A. Affected Environment

The Surprise resource area includes 5 wilderness study areas (WSAs) and no wilderness areas. WSAs include the Sheldon Contiguous WSA, Massacre Rim WSA, South Warner WSA, Wall Canyon WSA, and the Buffalo Hills WSA. These WSAs are managed under the Interim Management policy for lands under Wilderness Review (IMP) until Congress designates them as wilderness or releases them for other purposes. The areas must be managed in a manner so as to not impair the suitability of the areas for preservation as wilderness. The IMP allows outfitters and guides as long as their activities meet the non-impairment standard.

While the Wilderness Act prohibits commercial enterprise in wilderness areas, it also provided an exemption for commercial services that are necessary for activities that are proper for realizing recreational or other wilderness purposes of the areas. Outfitters and guides are generally covered by this exemption and allowed to operate within wilderness areas as long as their use does not impact the wilderness values of those areas.

B. Environmental Consequences

Activities associated with outfitting and guiding would not impact the natural conditions of the areas beyond those impacts generally associated with normal visitor use of the areas (i.e. hiking, hunting, and camping). Minor impacts could occur such as trampling of vegetation and soil, incidental stock grazing, contamination of streams with soap, proliferation of campfire impacts, etc. The largest impacts are expected to occur in the camping areas. In the past all camping has occurred outside of WSA boundaries in pre-disturbed sites. This pattern of use is expected to continue in the future. Potential impacts associated with the activities will be mitigated through actions identified in the Mitigation Measures.

Activities associated with outfitting and guiding would not impact the natural conditions of the areas beyond those impacts generally associated with normal visitor use of the areas (i.e. hiking, hunting, camping). Prohibited activities under the Wilderness Act would still be prohibited under the SRP.

3.6. Wildlife Including T&E and BLM Sensitive Species

A. Affected Environment

Within the Surprise Field Office, there are numerous wildlife species typical of sage-steppe environments, including Greater sage-grouse, pygmy rabbit, California bighorn sheep, mule deer, pronghorn antelope, chukar, quail and a variety of non-game mammals and birds. Passover neo-tropical migratory birds are also commonly observed at riparian sites. No Threatened or Endangered Species exist within the analysis area and there would be no impacts to T&E species.

In March 2010, the USFWS announced its listing decision for the Greater sage-grouse (*Centrocercus urophasianus*) as “warranted but precluded”. At this time the species is officially considered a Candidate Species for listing, but does not receive statutory protection under the ESA. Candidate species designation means the USFWS has sufficient information on biological vulnerability and threat(s) to support issuance of a proposed rule to list, but issuance is precluded by higher priority listing actions. Individual states continue to be responsible for managing sage-grouse. “Candidate species and their habitats are managed as Bureau sensitive species”, (BLM Manual 6840, December 2008). The BLM is currently undergoing RMP revisions to provide improved management of sage-grouse and their habitats. Specific interim management policy for sage-grouse was issued in 2012 (BLM IM-2012-043). The Greater sage-grouse is discussed below.

Greater Sage-Grouse

Sage-grouse are present throughout the analysis area in the Vya, Massacre, and Buffalo-Skedaddle PMU’s with relatively stable but slightly declining populations (USFWS Final Objectives Report, 2013). Large expanses of intact habitat exist to meet the life cycle requirements of sage-grouse with little to no habitat fragmentation. Drought in the SFO has negatively affected sage-grouse in the short term with reduced lek attendance and reduced chick/hen ratios (NDOW, BLM unpublished reports 2012, 2013). Little energy and mineral development has occurred throughout the SFO and recreation use on public lands is relatively low when compared to the amount of public land available. Most negative impacts to sage-grouse and their habitats in the Vya, Massacre and Buffalo-Skedaddle PMUs is related to wild horse and cattle grazing, invasive species, and juniper encroachment (USFWS Final Objectives Report, 2013).

B. Environmental Consequences

No T&E species or impacts to species have been identified. Potential impacts to wildlife species including Greater sage-grouse include temporary displacement of wildlife from preferred habitats. This displacement has the potential for impacts during the critical periods of species life cycles such as nesting, fawning, and lambing (February-May). This impact is expected to be minimal due to the majority of commercial recreation use being associated with hunting activities that generally occur in different time periods (August-December). Noise and activity impacts associated with commercial recreation around water sources is likely to result in some short term displacement of wildlife, including greater sage-grouse however this impact is expected to be slight due to the small number of SRPs (20) when compared to the vast acreage available for commercial recreation use (approximately 1.2 million acres in Nevada and 300,000 in California) and the stipulations for outfitter and guide SRP’s that reduce impacts, especially at water sources. Some direct harvest of big game species (antelope, mule deer, bighorn sheep) would result as a result of the proposed action due to SRP’s authorizing guides and outfitters to guide clients within the SFO public lands that otherwise could not occur. This is not expected to have any impact on big game populations as state game agencies set season quotas based on population estimates that would result in mortality being compensatory rather than additive and harvest only being permitted for male big game species.

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Chapter 4. OVERALL CUMMULATIVE IMPACTS

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Cumulative impacts are the “incremental impacts of a proposal when added to other past, present, and reasonably foreseeable future actions, regardless of which agency or person undertakes them” (40 Code of Federal Regulations 1508.7)

The cumulative impact assessment area for this EA includes all lands within the Surprise Resource area. This includes 2,432,624 total acres of land of which approximately 1,220,644 acres are BLM lands.

4.1. Areas of Critical Environmental Concern

Impacts to ACECs could include trampling of sensitive plants and degradation of water quality due to higher recreation use. Cultural resources and sensitive wildlife species have also been impacted by recreational use. Permitted uses have been managed through Special Recreation Permit Stipulations to minimize and mitigate for these impacts related to O&G uses.

4.2. Cultural Resources

OHV travel can remove vegetation exposing cultural resources. Increased Areas in the vicinity of permanent and intermittent water sources have the highest potential for cultural resource sites. These areas are also attractive for recreation use thus increasing the potential for illegal collection. However, permitted uses would be managed through Special Recreation Permit Stipulations to minimize and mitigate for these impacts related to O&G uses.

4.3. Recreation

Adverse impacts can occur due to competing recreation uses within the cumulative assessment area. Impacts from competing recreation uses would be dependent on the users and type of activity. These impacts would be considered low based on the large land area and rural nature of the lands within the analysis area. Permitted uses have been managed through Special Recreation Permit Stipulations to minimize and mitigate for these impacts related to O&G uses.

4.4. Social and Economic Values

Outfitting and guiding is a large business that gets most of its clients from referrals. Many members of the public are reluctant to visit the resource area due to lack of knowledge and safety. By encouraging and permitting O&G the amount of accidents, injuries and deaths could be reduced due and visitation would increase. The increased experience level of a guide would make for a more pleasant experience and encourage future use to the local areas. Clients would be more educated of the public lands, presence of harmful animals, desert conditions, and what to do in case of emergency by permittees. Visitors would more likely have a good experience with a guide and plan another trip back to the areas. This in turn would support the local economy.

4.5. Wilderness & Wilderness Study Areas

Impacts to WSAs have been primarily from unauthorized motorized traffic. Permitted uses have been managed through Special Recreation Permit Stipulations to minimize and mitigate for these impacts related to O&G uses. These impacts would adversely affect wilderness values such as opportunities for solitude and primitive recreation.

4.6. Wildlife, Including BLM Sensitive and T&E Species

Impacts to wildlife as a result of recreation use have primarily been associated with camping at water sites during the dry periods of the year. Permitted uses have been managed through Special Recreation Permit Stipulations to minimize and mitigate for these impacts related to O&G uses. Implementation and enforcement of the permit stipulations is expected to reduce these effects and no cumulative impacts are expected to occur.

Chapter 5. CONSULTATION AND COORDINATION/PREPARERS:

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Interested Parties Scoped with:

Cedarville Rancheria

Fort Bidwell Tribal Council

Summit Lake Paiute Tribal Council

NOPA Recipients- Permittees, Interest parties, State and Local governments.

Table 5.1. List of Preparers

Name	Resource/Activities	Project Role
Dan Ryan	Recreation/Minerals/Socioeconomics/ VRM	EA Preparer Project Lead Interdisciplinary Team
Elias Flores & Scott Soletti	Wildlife/ Fauna and Flora T&E/Migratory Birds/Noxious Weeds/Vegetation/Air Quality/Global Climate Change	EA Preparer Interdisciplinary Team
Jen Rovanpera	Cultural/Paleontological Resources/Native American Religious Concerns	EA Preparer Interdisciplinary Team
Alexandra Urza	NEPA Coordinator/Wilderness	EA Preparer Interdisciplinary Team
Steve Surian	Livestock / Soils	EA Preparer Interdisciplinary Team
Roger Farschon	Ecology	EA Preparer Interdisciplinary Team

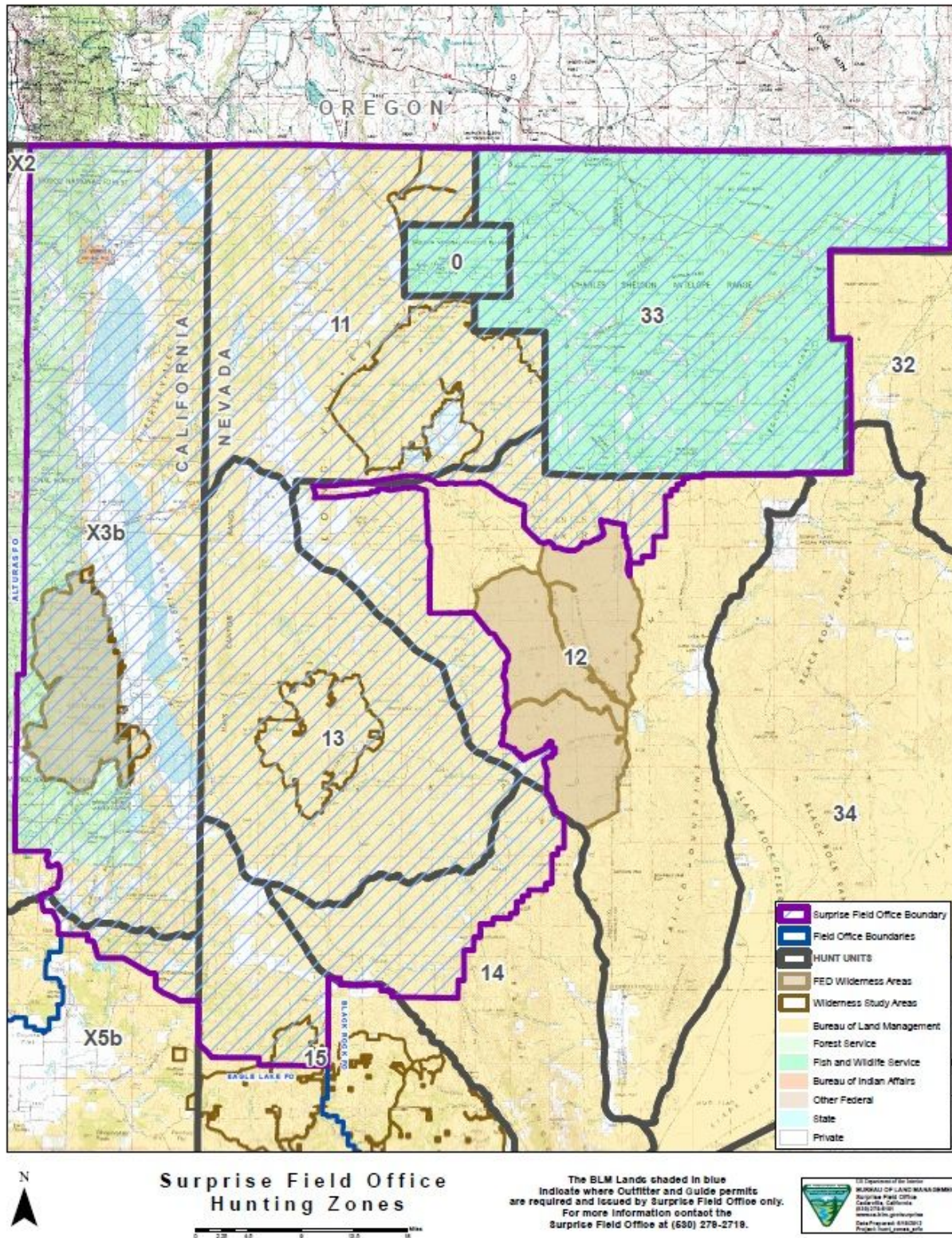
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U.S. Fish and Wildlife Service. 2013. Greater Sage-grouse (*Centrocercus urophasianus*)

Conservation Objectives: Final Report. U.S. Fish and Wildlife Service, Denver, CO. February 2013.

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Appendix A. Map



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Appendix B. SPECIAL PERMIT STIPULATIONS FOR COMMERCIAL GUIDES

This permit will be in effect from January 1, 20XX to December 31, 20XX, subject to annual validation, on public lands administered by the Surprise Field Office within California and Nevada, unless terminated earlier by the Authorized Official. Conduct of activities authorized by this permit signifies knowledge of and constitutes an express and implied agreement by the permittee, subguides and other employees to fully comply with general terms marked on the reverse side of Form 2930-2 and all special stipulations.

Guides and Sub-guides must possess a copy of the special recreation permit, permit stipulations, and the Individual Trip Plan during use in permitted areas.

Privileges granted by this permit are subject to the following annual requirements:

- A **Master Guide license** issued by NDOW must be available on-line or a copy must be received by the issuing BLM office prior to your first guided hunt or **May 31st** of each year.
- The **Individual Trip Plan**, on the form provided by BLM, must be received by the issuing BLM office 10 days prior to the first intended use date.
- Submission of post use information on the **Post-Use Report** form, provided by BLM for your use, within 30 days after the completion of your permit activity or by *12/31 annually. Claims for fee deductions and discounts will require submission of a more detailed post use form supported by receipts, trip itineraries and vehicle log books. **If you are conducting lion hunts during the winter season, your post-use reports must be received by 5/1 annually.*
- A legible copy of your **Nevada Division of Wildlife (NDOW) client record form(s)** must also be submitted with your Post-Use Report.
- Payment of final fees, which is 3% of gross receipts (or adjusted gross receipts if deductions or discounts are claimed), must be received within 30 days of submission of the Post-Use Report. Fees must be made payable to "U. S. Department of the Interior – BLM."
- A current insurance policy must be maintained that provides for the minimum levels of liability insurance (**\$500,000 bodily injury for any one person, \$1,000,000 annual aggregate, and \$30,000 property damage for any one occurrence**) are in effect. Your policy must name the *United States Government*, as additionally insured and stipulate that you or your insurer will notify BLM at least 30 calendar days in advance of termination or modification of such insurance. The policy for liability insurance must remain in effect during the entire time the master guide is licensed to guide.

Permittee must notify the issuing BLM office of any amendments to their master guide license within 10 working days of the amendment(s) (e.g. adding or removing subguides from the master guide license).

- Multi-year permits will be placed in **probationary** status during the next annual operating period if the permittee fails to comply with the requirements in the special stipulations. A **probationary** permit shall automatically terminate without the necessity of prior notice when (1) annual or minimum use fees are delinquent for more than 30 calendar days from the required due date; or (2) a post use report has not been submitted by the required due date. The BLM may also refuse to issue a permit to permittee who have received unsatisfactory performance evaluations or have previously had their permit revoked.
 - Permittee shall inform all employees and clients of the terms and conditions of the authorizing permit, and is responsible and liable for all actions of employees and clients on both public and private lands.
1. No one shall intentionally or knowingly destroy, deface, remove, or disturb any public building, sign, equipment, marker, or other government property, cultural site or artifact, historic structure, natural feature of the land, vegetation, or wildlife (except as legally taken). Livestock fences are not to be cut to allow access to a site.
 2. Permittees and their clients will not interfere with other valid existing uses occurring on the public lands such as grazing, mining, or other recreational uses (including other outfitting-guide uses, hunting, fishing, etc.).

GENERAL

1. An Individual Trip Plan, on the form provided by BLM, must be received by the issuing BLM office prior to the first intended use date. The Trip Plan must include a map. Failure to submit an individual trip plan will result in loss of hunting privileges in the respective hunt units.
2. Any property of the permittee left unattended on BLM-administered lands longer than ten (10) days without permission of the Authorized Officer is subject to disposition under the Federal Property and Administrative Services Act of 1949 as amended; or at the option of BLM will be removed and delivered to the permittee at the permittee's expense. Removal of the property by the United States shall not relieve the permit holder of liability for the cost of its removal and restoration of the site.
3. This permit does not authorize the permittee, employees, or clients to use areas of the public lands which are otherwise restricted or closed (e.g., restrictive off-highway vehicle designation areas).
4. Granting the Special Recreation Permit by BLM does not guarantee the permittee's use of any specific campsite(s), nor the use of public lands in a given area, and not the exclusive use of any area by a single permittee. Reservation of permanent campsite(s) for exclusive use by the permittee will require specific authorization and payment of an annual fee for each reserved site. A permanent campsite is a location used for a period of fourteen (14) consecutive days or longer.
5. Issuance of a Special Recreation Permit does not establish nor imply recognition of any claimed historical use rights by an operator or the public. Public lands will be available to users on a first-come first-served basis, but this does not imply that the first permittee into an area is the only one authorized to use it. Unless an allocation system is implemented for an area, other commercial users and private individuals alike may use all public land areas.

6. Permittee agrees to make all relevant permit books and support records available to the BLM upon request for analysis by qualified representatives of the BLM or other agencies authorized to review BLM's permitting activities. All such permittee records will be furnished upon request as outlined in 43 CFR 2932.55.
7. The BLM reserves the right to alter the terms, conditions, or stipulations of a permit at any time for reasons such as significant policy changes, administrative procedure changes, stipulation changes, impacts to resource values, user conflicts, etc.
8. The BLM Authorized Officer reserves the right to close various sites and/or areas of the public lands to prevent resource damage and use conflicts, and to promote visitor safety.
9. Issuance of a permit by BLM does not guarantee legal access to public lands. Access to public lands by the permittee is assured only when legal access for the general public is available. Where legal public access is not available, it is the permittee's responsibility to obtain permission from the landowner(s) to travel through or use private lands.
10. The permittee shall comply with all Federal, State, County and local governmental agencies having jurisdiction, ordinances, regulations, orders, postings, or written requirements applicable to the area or operations covered by the Special Recreation Permit (SRP). The permittee must contact and receive concurrence and license, where required, from all other federal, state, county and local governmental agencies having jurisdiction. The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and local licenses or registrations. The permittee shall make every reasonable effort to ensure compliance with these requirements by all agents of the permittee and by all clients or customers under the permittee's supervision.
11. An SRP represents a nonexclusive privilege authorizing special uses of the public lands and related waters and, should circumstances warrant, the permit may be modified by the BLM at any time, including the amount of use. The authorized officer may suspend or terminate an SRP if necessary to protect public resources, health, safety, the environment, or in the event of noncompliance with permit stipulations.
12. No value shall be assigned to or claimed for the permit, or for the occupancy or use of Federal lands or related waters granted thereupon. The permit privileges are not to be considered property on which the permittee shall be entitled to earn or receive any return, income, price or compensation. The use of a permit as collateral is not recognized by the BLM.
13. Only the authorized SRP holder may enter into a contract or advertise for outfitting and guide services in the area authorized by this permit.
14. All advertising and representations made to the public and to the authorized officer must be accurate. Although the addresses and telephone numbers of the BLM may be included in advertising materials, official agency symbols may not be used. The permittee shall not use advertising that attempts to portray or represent the activities as being conducted by the BLM. The permittee may not portray or represent the permit fee as a special Federal user's tax. The permittee must furnish the authorized officer with any current brochure and price list.

15. The permittee must assume responsibility for inspecting the permitted area, and any surrounding areas in which their clients might reasonably be expected to enter, for any existing or new hazardous conditions, e.g., land slides, avalanches, rocks, changing water or weather conditions, falling limbs or trees, submerged objects, hazardous wildlife, abandoned mine shafts or other hazards that present risks for which the permittee assumes responsibility. Identified hazards shall be marked and, if necessary, barriers erected to prevent entry.
16. Unless specifically authorized, an SRP does not authorize the permittee to erect, construct, or place any building, structure, or other fixture on the public lands. Any use of the public lands is subject to the condition that upon leaving, the lands must be restored as nearly as possible to preexisting conditions. All temporary structures (i.e. corrals, hunting blinds, frames, hitching rails, etc.) must be requested in writing by the permittee and are subject to approval by the authorized official.
17. The permittee must present or display a copy of the special recreation permit to a participant, authorized officer's representative, or law enforcement personnel upon request.
18. In the event of default on any mortgage or other indebtedness, such as bankruptcy, creditors shall not succeed to the operating rights or privileges of the permittees SRP.
19. The permittee shall notify the authorized officer of any accident which occurs while involved in activities authorized by this permit which results in death, personal injury requiring hospitalization or emergency evacuation, or in property damage greater than \$2,500. Reports should be submitted within 48 hours in the case of death or injury, or 10 days in accidents involving property damage.
20. An SRP only authorizes the use, for the time and in the area, as specifically described in section 2 of special recreation permit Form 8340. Outfitters hunting across BLM district boundaries must have written authorization in advance from all affected offices. This permit does not apply to non-BLM lands (i.e. private, State, USFS etc.) unless provided for by cooperative or interagency agreements, etc.
21. The use of temporary blinds for hunting, photography, wildlife observation and similar purposes for a period of fourteen (14) days if they are packed or carried in and out and do not require the disturbance or destruction of native soil, rock, or vegetation is allowed in wilderness areas and wilderness study areas. Construction of structures is prohibited in wilderness areas and wilderness study areas.
22. Other than incidental browsing, riding and pack stock animals may only be fed with packed-in, certified weed-free feed. Do not stake livestock out to graze on riparian areas.

SANITATION & AESTHETICS

Operation and maintenance of all sanitation, food service, and water supplies, systems, and facilities shall comply with the standards of the local department of health and the United States Public Health Service.

Permittee shall submit a written explanation of how they intend to dispose of refuse resulting from the permitted use, including waste materials, garbage, and rubbish of all kinds in the following manner, and shall guard the purity of streams and waters.

1. **All refuse must be carried out** of the area and disposed of in an approved disposal site. Burying or burning garbage is prohibited.
2. The use of small portable toilets is encouraged. If a portable toilet is not available, **human waste must be buried 6-8 inches deep**, so that it is not visible on the surface. Toilet paper should be carried out. Nothing other than human waste should be buried.
3. Soaps, detergents, food scraps, or any substances that would result in harm to fish and wildlife or to human water supplies will not be introduced into streams, rivers, or springs. **The permittee shall assure that neither staff nor clients use soap, shampoos, chlorine or any other chemical to bath in any water source.**

Permittee shall protect the scenic aesthetic values of the area under permit and the adjacent lands, insofar as practical, while exercising privileges granted during setup, operation, and maintenance of the permitted operation. When camps or other facilities are dismantled, the area should be left in a natural state. Permittee shall practice basic Leave-No-Trace/Tread Lightly behavior while within designated wilderness or wilderness study areas.

CAMPING

1. In accordance with Nevada Revised Statute (NRS) 503.660, "It is unlawful for any person to camp within 100 yards of a water hole in such a manner that wildlife or domestic stock will be denied access to such water hole." (1975, pg. 14530).
2. No permanent base camps may be established without prior authorization. A permanent campsite is a location used for a period of fourteen (14) consecutive days or longer.
3. No camps or other facilities, either permanent or temporary, will be set up in a designated wilderness area or WSA without prior written approval by BLM.
4. Construction of permanent fences or corrals is not permitted. Temporary improvements including frames, hitching racks, and other pole structures may be constructed provided they are dismantled and removed within 30 days following the termination of yearly guiding operations. All temporary improvements must be requested in writing by the permittee and are subject to approval by the Authorized Official. Construction of structures is prohibited in Wilderness Areas and Wilderness Study Areas.
5. No trees may be cut for use in constructing temporary facilities.
6. Cook tents, pit-type toilets, tethered pack stock, hitching racks and horse corrals must be located at least 100 yards from the nearest spring source and other surface waters (lakes, streams, reservoirs, etc.). Camps must be located so as to avoid conflict with other users and should not block access on roads or trails.
7. Food and/or equipment caches will not be allowed unless prior approval is obtained from BLM's Field Office Manager. Location of proposed caches must be described in the permit application.

FIRES

1. Because of the impacts fires can create, their use should be kept to a minimum. Using cook stoves or fire stoves is recommended as an alternative to cooking over campfires. When allowed, campfires shall be small and kept under control. Use fire pans or existing fire rings

only. No new fire rings will be made when existing rings are available in an area. Open fires are generally prohibited during periods of extremely high fire hazard by order of BLM or the State of Nevada. Please call (530) 279-6101 for information about current fire restrictions.

2. No campfires will be left unattended; permittees are solely responsible for all fires which they, their employees, or their customers start. Permittees may be held responsible for fire suppression costs resulting from wildfires caused by the permittee, or customers and participants.
3. Wildfire should be reported immediately to the nearest BLM office (NorCal Dispatch (XXX) XXX-XXX). Permittee is responsible for informing employees, clients, and participants of the current fire danger and required precautions that may be placed in effect by the BLM or the State of California.
4. Fires and stoves are prohibited within old cabins or historic structures.
5. An axe, shovel and water bucket must be available at each camp for fire control.
6. Permittees are encouraged to bring their firewood. Cutting or gathering green trees or their parts, or removing dead limbs from standing trees for any purpose is prohibited [43 CFR 4140.1]. Additionally, cutting or gathering firewood from historic structures is prohibited.

MOTORIZED VEHICLE USE

1. All **vehicle use is limited to existing or designated vehicle routes** (roads and ways). Contact the local BLM office for official maps depicting designated routes in the National Conservation Area and Wilderness Study Areas.
2. Vehicles shall not pull off the road surface more than **50 feet** to park, camp or to allow for another vehicle to pass.
3. Motorized vehicles, motorized equipment, and mechanized transport (including wheeled game carts) of any type are prohibited in designated Wilderness Areas or Wilderness Study Areas.
4. It is the permittees' responsibility to obtain current maps of designated wilderness areas, wilderness study areas, and closed or limited-use off-highway vehicle areas (i.e. NCA) prior to using the area for commercial purposes. Seasonal closures are in effect for several areas in the Surprise Field Office.
5. The BLM requires the use of "Tread Lightly" principles and "Leave No Trace" ethics. Staff and participants of commercial operations will be educated and held responsible for following Leave-No-Trace and Treadlightly! principles. Responsible off highway vehicle use means staying on existing and designated routes.
6. Vehicles (including ATVs) will be washed and cleaned before being transported to public lands to eliminate the possibility of noxious weeds being introduced to the hunting areas. All pack and saddle stock feed must be certified weed free.

CULTURAL AND HISTORIC

1. In addition to Stipulation # 15 on the back of Form 8370-1: All participants and support staff will be informed that collection, excavation or vandalism of archaeological artifacts or

sites is illegal on public land. The BLM shall be notified immediately upon discovery of archaeological artifacts (objects greater than 50 years old) or human remains. If cultural resources are discovered that could be adversely affected by the operation of this permit, such operation will immediately cease and the Surprise Field Office Manager notified immediately. All such artifacts, including “arrowheads”, are the property of the United States and are not to be collected.

2. Camping in non-designated camping areas that are archaeological sites is prohibited.
3. Permittee shall not make available to the public any information concerning the nature and location of any archaeological resource.
4. Pursuant 43 CFR 10.4 (g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary objects, sacred objects, or objects of cultural patrimony (as defined at 43 CFR 10.2). Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

WILD HORSE AND BURRO

1. The Permittee shall inform all staff and clients that wild horses and burros (WH&Bs) are protected by Federal law and will prevent harassment of WH&Bs from permitted activities. Prohibited acts include but are not limited to: maliciously injuring or harassing a wild horse or burro; removing or attempting to remove a wild horse or burro from public lands; destroying a wild horse or burro; selling or attempting to sell a wild horse or burro; and, commercially exploiting a wild horse or burro. Crimes are punishable by fine and/or imprisonment. Examples of violations might include harassment by ATV, injury or death by a bullet or arrow, and illegal capture.
2. All guides shall possess a map indicating Herd Management Areas (For additional information concerning these areas, please visit the following link: http://www.blm.gov/nv/st/en/prog/wh_b/herd_management_areas.html). The permittee will discourage the discharge of firearms within HMAs during the foaling season (March 1 – June 30).
3. Stay at least 100 feet away from wild horses or burros.
4. Do not feed or try to attract animals towards you.
5. Keep dogs under control so they do not disturb or chase wild horses or burros.
6. Report sick or injured animals, or violations, to the BLM.
7. Do not bring sick or diseased animals into HMAs. Wild horses on the range are not vaccinated against any diseases

FIRST-AID EQUIPMENT

1. First-aid equipment will be part of the base camp equipment. The needs will be determined by the size of the party.
2. Guides should be trained in First-Aid and/or Cardio-Pulmonary Resuscitation procedures.

I have read and understand the above listed stipulations. I understand that my permit can be put on probation or revoked if my permitted activities violate the permit stipulations, including those activities conducted by subguides and clients. I will make my best effort to ensure that all staff and clients are in compliance with the permit stipulations.

Permittee Signature _____ Date:
